

Honolulu, Hawaii

APR 20 2015

RE: S.R. No. 72

S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Government Operations, to which was
referred S.R. No. 72 entitled:

"SENATE RESOLUTION REPLACING THE TERM 'AFRICAN AMERICAN' WITH
'AMERICAN OF AFRICAN DESCENT' AS A RACE CATEGORY USED IN
SURVEYS CONDUCTED BY THE STATE OF HAWAII,"

begs leave to report as follows:

The purpose and intent of this measure is to replace the term
"African American" with the term "American of African Descent" in
surveys conducted by the State of Hawaii.

Your Committee received testimony in support of this measure
from one individual.

Prior to the hearing on this measure, your Committee posted
and made available for public review a proposed S.D. 1, which
deletes the contents of this measure and inserts language to:

- (1) Describe the rule making requirements for certain state
and county agencies established under the Hawaii
Administrative Procedure Act;
- (2) Specify that the Hawaii Administrative Procedure Act was
enacted to establish procedures, ensure transparency,
protect due process rights, and promote sound business
practices;



- (3) Urge all agencies with rule making authority that are subject to the Hawaii Administrative Procedure Act to strictly adhere to the provisions set forth by the Hawaii Administrative Procedure Act during the rule making, amending, or repealing process, including rule making to modify rates paid by an agency to third parties; and
- (4) Amend the title to conform with the purpose of the measure.

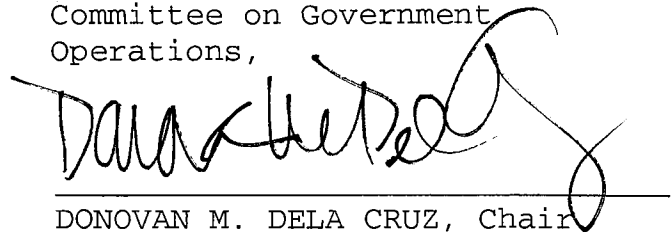
Your Committee received testimony in support of the proposed S.D. 1 from one individual.

Your Committee finds that the Hawaii Administrative Procedure Act promotes transparency and protects the public's right to be heard and participate in the administrative rule making process. The notice requirements must be strictly followed in order to ensure that the public has an opportunity to receive notice of hearings, inform themselves on the subject matter, provide testimony, and attend the hearing. Government transparency and opportunity for public comment are democratic principles that must be upheld at all levels of government.

Your Committee has amended this measure by adopting the proposed S.D. 1.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee concurs with the intent and purpose of S.R. No. 72, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 72, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Government
Operations,



DONOVAN M. DELA CRUZ, Chair



Record of Votes
Committee on Government Operations
GVO

*Only one measure per Record of Votes